

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIASMB
8/12/08

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jeff SCHLEGEL

Defendant.

Magistrate Case No.

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1324(a)(2)(B)(iii)

Bringing in Illegal Alien(s)

Without Presentation

Title 18, U.S.C., Section 1544

Misuse of Passport

FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

The undersigned complainant being duly sworn states:

Count I

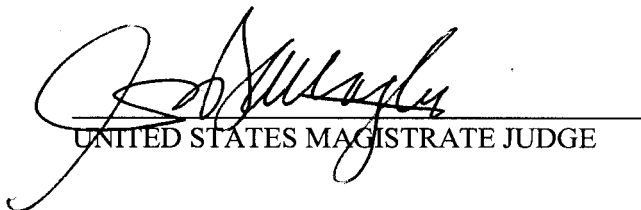
On or about **August 11, 2008**, within the Southern District of California, defendant **Jeff SCHLEGEL**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Gloria CORONA-Gomez, Erika MADRIGAL-Serrato, and Antonio MIGUEL-Crisantos**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

Count II

On or about **August 11, 2008**, within the Southern District of California, defendant **Jeff SCHLEGEL**, did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting U.S. Passport number **440245253**, issued to Gregory Mark Baer, to a Department of Homeland Security, Customs and Border Protection Officer, knowing full well that he was not Gregory Mark Baer, and that the passport was not issued or designed for his use. All in violation of Title 18, United States Code, Section 1544.



SIGNATURE OF COMPLAINANT
Alfredo Loperena, Enforcement Officer
U.S. Customs and Border Protection

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 12th DAY OF AUGUST, 2008.


UNITED STATES MAGISTRATE JUDGE

DOA
8/11/08
JJA

PROBABLE CAUSE STATEMENT

The complainant states that **Gloria CORONA-Gomez, Erika MADRIGAL-Serrato, and Antonio MIGUEL-Crisantos** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On August 11, 2008, at approximately 6:44 am, **Jeff SCHLEGEL (Defendant)**, applied for admission into the United States at the San Ysidro Port of Entry. Defendant was the driver and sole visible occupant of a 2001 white Ford Econoline. Defendant presented a United States Passport bearing his likeness and the name Gregory Mark Baer as his own entry document to a United States Customs and Border Protection (CBP) Officer. Defendant was questioned by the CBP Officer as to where he was going and replied he was going to visit a friend. The CBP Officer looked inside the vehicle and observed several human beings concealed underneath pieces of cloth inside the cargo area of the vehicle. The CBP Officer called for assistance and CBP Officers responded. Defendant and the vehicle were escorted to secondary for further inspection.

In secondary, CBP Officers removed a total of fifteen human beings found concealed inside the cargo area of the vehicle. The concealed persons were determined to be citizens of Mexico without entitlements to enter the United States. Three individuals were retained as Material Witnesses and are now identified as: **Gloria CORONA-Gomez (MW1), Erika MADRIGAL-Serrato (MW2), and Antonio MIGUEL-Crisantos (MW3).**

Further checks revealed the vehicle driven by Defendant was reported stolen, and the license plates were not issued for this vehicle. Secondary checks also confirmed the United States Passport presented by Defendant was not issued or designed for his use and was altered with the Defendant's photo in place of the photo of the lawful owner.

During a video recorded proceeding, Defendant was advised of his Miranda Rights, acknowledged his rights and elected to answer questions without the benefit of counsel. Defendant admitted knowledge of the concealed aliens. Defendant stated he was a hired driver and if successful in smuggling people into the United States, the people with whom he made arrangements would pay him \$1,500.00 United States Dollars (USD). Defendant admitted his photograph was taken by the smugglers, and he was later given an altered United States Passport not designated for him containing his photo for the purpose of gaining entry and smuggling people into the United States.

During a video recorded proceeding, Material Witnesses declared they are citizens of Mexico without legal rights or documents to enter the United States. Material Witnesses stated they were going to pay from \$2,000.00 to \$3,500.00 USD to be smuggled into the United States. Material Witnesses stated they were traveling to California to seek employment and residence.